

Accordingly, the Court **ADOPTS** the Magistrate Judge's R&R (Dkt. No. 45) and, for the reasons set forth therein, Defendant's Revised Motion to Dismiss (Dkt. No. 39) is **GRANTED**, and Plaintiff's claims in the Second Amended Complaint are **DISMISSED**.

This case is **CLOSED**.

It is so **ORDERED**.

SIGNED this 14 day of January, 2025.

A handwritten signature in blue ink, appearing to read "Orlando L. Garcia", written above a horizontal line.

ORLANDO L. GARCIA
United States District Judge